



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10/26/05

Signature: *Kathryn Lugo*  
(Kathryn Lugo)

Docket No.: AREX-P01-010  
(PATENT) *[Handwritten mark]*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Schultes *et al.*

Application No.: 10/531,849

Confirmation No.: N/A

Filed: April 18, 2005

Art Unit: N/A

For: THERAPEUTIC ADJUVANT

Examiner: Not Yet Assigned

### INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office ("PTO") is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Examiner's attention is also directed to the following co-owned, co-pending applications: U.S. Application No. 09/648,663 (AREX-P01-003); U.S. Application No. 09/152,698 (AREX-P02-004); and U.S. application No. 09/824,554 (AREX-P03-005). Applicants have not provided copies of these applications herewith but will do so upon request by the Examiner.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant submits herewith copies of the cited foreign patent documents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. AREX-P01-010. A duplicate copy of this paper is enclosed.

Dated: October 26, 2005

Respectfully submitted,

By \_\_\_\_\_

Gloria Fuentes

Registration No.: 47,580  
ROPES & GRAY LLP  
1251 Avenue of the Americas  
New York, New York 10020-1104  
(212) 596-9000  
(212) 596-9090 (Fax)  
Attorneys/Agents For Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<b>Complete If Known</b>	
				Application Number	10/531,849
				Filing Date	April 18, 2005
				First Named Inventor	Schultes et al.
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	AREX-P01-010

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA	6,086,873	07/11/2000	Sykes et al.		
AB	6,241,985	06/05/2001	Madiyalakan et al.		
AC	6,689,355	02/10/2004	Schultes et al.		
AD	6,716,966	04/06/2004	Madiyalakan		
AE	6,881,405	04/19/2005	Leveugle et al.		
AF	US2001/0036457	11/01/2001	Madiyalakan et al.		
AG	US2002/0022235	02/21/2002	Noujaim		
AH	US2002/0048583	04/25/2002	Schultes et al.		
AI	US2002/0048586	04/25/2002	Madiyalakan et al.		
AJ	US2002/0132771	09/19/2002	Madiyalakan		
AK	US2004/0191236	09/30/2004	Schultes et al.		
AL	US2005/0048059	03/03/2005	Madiyalakan et al.		
AM	US2005/063976	03/24/2005	Schultes et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>4</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BA	WO97/42973		11/20/1997	PCT	
BB	WO98/33470		08/06/1998	PCT	
BC	WO98/57661		12/23/1998	PCT	
BD	WO99/65517		12/23/1999	PCT	
BE	WO99/65523		12/23/1999	PCT	
BF	WO01/12217		02/22/2001	WIPO	
BG	WO01/59452		08/16/2001	WIPO	
BH	WO01/85204		11/15/2001	WIPO	
BI	WO01/85203		11/15/2001	WIPO	
BJ	WO01/91792		12/06/2001	WIPO	
BK	WO02/076384		10/03/2002	WIPO	
BL	WO03/034977		05/01/2003	WIPO	
BM	WO03/086041		10/23/2003	WIPO	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------



PTO/SB/92 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/531,849

Attorney Docket No.: AREX-P01-010

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 26, 2005  
Date

Kathryn Hugo

Signature

KATHRYN HUGO

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Information Disclosure Statement Form PTO/SB/08 (1 page)

Copies of References BA through BM

Information Disclosure Statement (2 pages)